

“(B) The appellate military judge retires or otherwise separates from the armed forces.

“(C) The appellate military judge is reassigned to other duties by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, based on military necessity and such reassignment is consistent with service rotation regulations (to the extent such regulations are applicable).

“(D) The appellate military judge is withdrawn by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, for good cause consistent with applicable procedures under chapter 47 of this title (the Uniform Code of Military Justice).”;

(3) in section 950h(c), by inserting “(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022)” after “of this title”; and

(4) by adding at the end the following new section:

“§ 950k. Definition

“In this subchapter, the term ‘military commission under this chapter’ means a military commission under this chapter as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.”.

(c) CLERICAL AMENDMENT.—The table of subchapters at the beginning of chapter 47A of such title is amended by striking the items relating to subchapters I through VI and subchapter VIII.

SA 4092. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON ALLEGATIONS OF WAR CRIMES AND TORTURE COMMITTED IN LIBYA.

(a) IN GENERAL.—Not later than 180 days after receiving a credible allegation of the commission of a covered offense, including from a nongovernmental organization that monitors violations of human rights, the Attorney General, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on such allegation, including a description of any challenges to prosecution.

(b) TERMINATION.—The reporting requirement under subsection (a) shall terminate on the date that is five years after the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEE OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED OFFENSE.—The term “covered offense” means an offense under section 2340A, 2441, or 2442 of title 18, United States Code, committed in Libya.

SA 4093. Mr. MARSHALL (for himself, Mr. LANKFORD, Mr. SCOTT of Florida, Mr. WICKER, Mr. TUBERVILLE, Mr. CRUZ, Mr. JOHNSON, Mr. CRAMER, and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 744. PROHIBITION ON ADVERSE PERSONNEL ACTIONS TAKEN AGAINST MEMBERS OF THE ARMED FORCES BASED ON DECLINING COVID-19 VACCINE.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1107a the following new section:

“§ 1107b. Prohibition on certain adverse personnel actions related to COVID-19 vaccine requirement

“Notwithstanding any other provision of law, a member of the armed forces subject to discharge on the basis of the member choosing not to receive the COVID-19 vaccine may only receive an honorable discharge.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1107a the following new item:

“1107b. Prohibition on certain adverse personnel actions related to COVID-19 vaccine requirement.”.

(c) APPLICABILITY.—The prohibition under section 1107b of title 10, United States Code, as added by subsection (a), shall apply with respect to any discharge received on or after December 11, 2020.

SA 4094. Ms. ROSEN (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, insert the following:

SEC. 318. PILOT PROGRAM TO TEST NEW SOFTWARE TO TRACK GREENHOUSE GAS EMISSIONS AT CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense may conduct a pilot program to be known as the Installations Emissions Tracking Program to evaluate the feasibility and effectiveness of using software and emerging technologies, methodologies, and capabilities to track real-time greenhouse gas emissions from installations of the Department of Defense and assets of such installations (in this section referred to as the “Program”).

(b) GOALS.—The goals of the Program are—

(1) to evaluate whether software and emerging technologies, methodologies, and capabilities are able to effectively track greenhouse gas emissions at installations of the Department and assets of such installations in real time; and

(2) to reduce energy costs and increase efficiencies of such installations and assets.

(c) LOCATIONS.—If the Secretary conducts the Program, the Secretary shall select for participation in the Program four major installations of the Department, as determined by the Secretary, located in different geographical regions of the United States that the Secretary determines—

(1) are prone to producing higher greenhouse gas emissions than the average installation of the Department;

(2) are in regions that historically have poor air quality; and

(3) have historically higher than average utility costs as compared to other installations of the Department.

SA 4095. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . PROVISION OF ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST RESULTS TO LOCAL WORKFORCE DEVELOPMENT BOARDS.

(a) IN GENERAL.—The Secretary of Defense shall, not later than 30 days after receiving the results of an Armed Services Vocational Aptitude Battery test for a student, provide such results to each local workforce development board selected to receive such results by the student.

(b) LOCAL WORKFORCE DEVELOPMENT BOARD.—In this section, the term “local workforce development board” has the meaning given the term “local board” in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

SA 4096. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 576. REPORT ON STATUS OF ARMY TUITION ASSISTANCE PROGRAM ARMY IGNITED PROGRAM.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the status of the Army Ignited program of the Army’s Tuition Assistance Program.

(b) ELEMENTS.—The report required under subsection (a) shall describe—